

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 100344-US CON 1

First Named Inventor or Application Identifier

Delos M. Cosgrove, et al.

Express Mail Label No: EJ241995903US

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Specification Total Pages 24
 2. Drawing(s) (35 USC 113) Total Pages 13
 3. Declaration and Power of Attorney Total Pages
 (filed Sept. 25, 1997 - 4 pages)
 (filed June 17, 1998 - 4 pages)
 a. Newly executed(original or copy)
 b. Copy from prior application (37 CFR 1.63(d))
 (for continuation/divisional with Box 14 completed)
/Note Box 4 Below
 i. DELETION OF INVENTOR(S)
 Signed statement attached deleting
 Inventor(s) named in the prior application,
 see 37 CFR 1.63(d)(2) and 1.33(b).
 4. Incorporation By Reference (usable if Box 3b is checked)
 The entire disclosure of the prior application, from which a
 copy of the oath or declaration is supplied under Box 3b,
 is considered as being part of the disclosure of the
 accompanying application and is hereby incorporated by
 reference therein.

ACCOMPANYING APPLICATION PARTS

5. Assignment Papers (cover sheet & documentation)
 6. Letter under 37 CFR 1.41(c).
 7. English Translation Document (*if applicable*)
 8. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS
 Preliminary Amendment
 10. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
 11. Small Entity Statement filed in prior application,
 Statement(s) Status still proper and desired
 12. Certified Copy of Priority Document(s)
 13. Other: _____

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No: 08/936,394, filed on 09/25/97

CLAIMS AS FILED

	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) BASIC FEE
TOTAL CLAIMS	20	6	0	\$18.00	\$760.00
INDEPENDENT CLAIMS	03	1	0	\$78.00	\$0.00
ANY MULTIPLE DEPENDENT CLAIMS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				\$260.00	\$0.00
			TOTAL FILING FEE ->		\$760.00

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this application, or credit any overpayment to ACCOUNT NO. 50-0387. A duplicate copy of this sheet is enclosed.
 A check in the amount of \$ 760.00 to cover the filing fee is enclosed.
 Cancel in this application original claims 1-35 of the prior application before calculating the filing fee.

15. CORRESPONDENCE ADDRESS

D'ANCONA & PFLAUM LLC

111 E. Wacker Drive, Suite 2800

Chicago, Illinois 60601

Telephone (312) 602-2641 - Fax (312) 602-3641

SIGNATURE:

John W. Cornell, Reg. No. 30,619

DATE: November 3, 1999

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Mailing Label EJ241995903US

Date of Deposit: November 3, 1999

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, BOX Patent Application, Washington D. C. 20231:

Delos M. Cosgrove, et al., Inventor
Utility Continuation Application
entitled "SURGICAL DEVICE
WITH MALLEABLE SHAFT"
based on U.S. Serial No. 08/936,394, filed September 25, 1997

Utility Patent Application Transmittal
Copy of Specification (24 pages)
Copy of Drawings (13 sheets), Figs. 1-19a
Copy of Executed Declaration filed Sept. 25, 1997 (4 pages)
Copy of Executed Declaration filed June 17, 1998 (4 pages)
Information Disclosure Statement
Information Disclosure Statement Transmittal Letter
PTO 1449
Preliminary Amendment
Return Post Card

Check for \$760.00 Utility Application Filing Fee

Attorney's Docket No. **100344-005 US CON 1**



Signature of person mailing response and fee